

REMARKS/ARGUMENTS

Status of the claims

With entry of the instant amendment claims 1 and 9 have been amended and claims 2-8 and 11-31 are cancelled. Claims 1, 9, 10, and 32 are therefore pending in the application. Claim 32 is currently withdrawn from examination.

Cancellation of subject matter is without prejudice to subsequent revival for prosecution in a continuation or divisional application.

The amendments to the claims add no new matter and are supported throughout the application. For example, support for the amendments to claims 1 and 9 can be found, *e.g.*, in cancelled claims 7 and 8, respectively.

Advisory Action

The Advisory Action mailed November 28, 2007 indicated that the amendment submitted in Applicants' response filed October 30, 2007 was not entered because it allegedly raised new issues. Specifically, the Examiner alleges that claims 25, 28, and 30 as submitted in the response would be duplicative of claims 1, 9, and 10. Although Applicants disagree, as the scope of the two sets of claims are not identical, in the interests of expediting prosecution, claims 25, 28, and 30 have been cancelled in the current amendment.

Objections to the specification

Applicants were requested to amend the description of Figure 5 and 6 to specify which sequence is associated with which sequence identifier. The amendments to the specification provide the requested information.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 1-6, 8, 9, 10, 25, and 27-30 were rejected as allegedly not enabled. Although Applicants disagree for reasons of record, in the interests of facilitating prosecution, claim 1 has been amended to recite elements set forth in claim 7, which was not rejected. The

Appl. No. 10/627,582
Amdt. dated December 20, 2007
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 1652

PATENT

elements set forth in claims 9 and 10 were also not subject to a previous rejection. Applicants therefore respectfully request withdrawal of the rejection.

Rejoinder

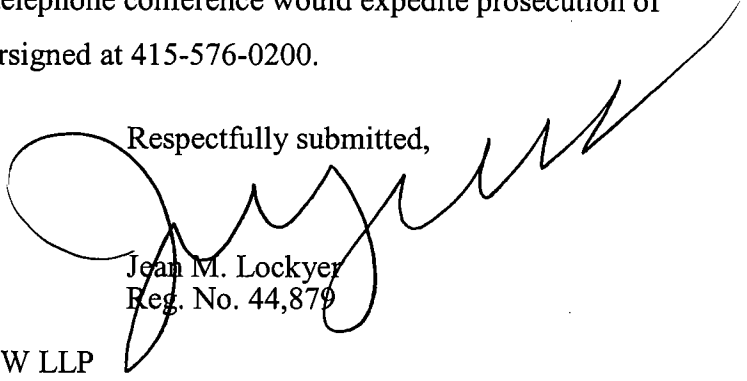
Applicants believe that claim 1 is now allowable. Rejoinder of claim 32 in accordance with MPEP § 821.04(b) is therefore respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Jean M. Lockyer
Reg. No. 44,879

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
JML:jml
61240029 v1